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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/578,382	05/05/2006	Katsuyuki Totsu	275A 3842 PCT	1915
<div>7590 11/27/2007 Quinn Emanuel Urquhart Oliver & Hedges, LLP Koda/Androlia 10th Floor 865 S. Figueroa Street Los Angeles, CA 90007</div>				
EXAMINER				
GRANT, ALVIN J				
ART UNIT		PAPER NUMBER		
3723				
MAIL DATE		DELIVERY MODE		
11/27/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/578,382

Applicant(s)

TOTSU, KATSUYUKI

Examiner

Alvin J. Grant

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2006.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-22 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SI/02)
Paper No(s)/Mail Date 5/5/06
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☒ Other: East Search

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1, 2, 4-6 and 8-11** are rejected under 35 U.S.C. 102(b) as being anticipated by Borgeson 3,122,963.

Borgeson discloses a screw having a head provided with a bit engaging groove that is formed in a Y shape divided into three substantially equal parts in a circumferential direction at a specified radial distance from a central portion of the screw head, groove widths of respective branching grooves that extend in a radial direction from a central portion of the bit engaging groove are formed so that the widths gradually expand, thus producing substantially equal intervals with a width dimension of boundary portions which are between respective adjacent branching grooves, and respective outer circumferential end wall surfaces of the bit engaging groove are formed in a substantially perpendicular attitude to a specified depth from an opening edge part, and are then displaced downward toward a central portion of a screw neck from perpendicular lower edge portions, with an intersecting central portion being formed as a substantially circular conical bottom surface; and respective outer circumferential end wall surfaces of the bit engaging groove are formed so that opening edge part sides of the wall surfaces expand in width at a specified angle and are substantially

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perpendicular to a specified depth, and are then displaced downward toward a central portion of a screw neck from perpendicular lower edge portions (Figs. 1 and 5).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 3, 7 and 12-22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Borgeson in view of Kaneko et al. 6,164,171.

Borgeson is described above. **Referring to claims 3 and 7**, Borgeson does not specifically disclose the bit-engaging groove being formed so that the boundary portions are adjacent respective planar sidewall surfaces that intersect at obtuse angles. Kaneko et al. teaches grooves being formed so that the boundary portions are adjacent respective planar sidewall surfaces that intersect at obtuse angles so as to maximize the contact surfaces between the driver and the screw head. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have made the apparatus of Borgeson et al. to have made the head of the screw of Borgeson to have grooves formed so that the boundary portions are adjacent respective planar side wall surfaces that intersect at obtuse angles as taught by Kaneko et al. so as to maximize the contact surfaces between the driver and the screw head.

Referring to claims 12-22, Borgeson does not specifically disclose a screwdriver bit comprising vane parts being formed on the tip end blade part and have end edge parts. Kaneko et al. discloses a bit comprising vane parts being formed on the tip end blade part and have end edge parts so as to match the profile of the interior surface of the screw head. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have made the screwdriver of Borgeson to have a bit comprising vane parts being formed on the tip end blade part and have end edge parts as taught by Kaneko et al. so as to match the profile of the interior surface of the screw head.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin J. Grant whose telephone number is (571) 272-4484. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J. Hail can be reached on (571) 272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alvin J Grant/
Examiner, Art Unit 3723

ajg